

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RANDY ABBE, Individually and On Behalf of All Others Similarly Situated,	§	
	§	
	§	
Plaintiff,	§	
	§	
	§	
v.	§	Civil Action No. 3:10-cv-1565
	§	
	§	
SILVERLEAF DEBT SOLUTIONS, LLC and DEBT RX USA, LLC	§	
	§	
	§	
Defendants.	§	Jury Demanded
	§	
	§	

PLAINTIFFS MOTION FOR ENTRY OF DEFAULT JUDGMENT

COMES NOW, Plaintiff Randy Abbe along with opt-in Plaintiff Brian Van Dusen (“Plaintiffs”), and hereby move for a default judgment pursuant to FED. R. CIV. P. 55(b) against the Defendants SilverLeaf Debt Solutions, LLC and Debt RX USA, LLC (collectively the “Defendants”) and respectfully show the Court as follows:

1. Plaintiffs request that the Court enter a default judgment against the Defendants pursuant to FED. R. CIV. P. 55(b).
2. Plaintiffs filed their lawsuit on August 11, 2010. Defendants filed an Answer on August 24, 2010. On January 26, 2012, Defendants’ counsel filed a Motion to Withdraw as counsel of record for Defendants. The Court granted Defendants’ counsel’s motion on January 27, 2012, and ordered Defendants to retain new counsel by February 27, 2012. Defendants failed to retain new counsel within the time period set forth by the Court. *See* Declaration of Meredith Mathews attached hereto as **Exhibit A**.
3. The Defendants have “failed to plead or otherwise defend” in this lawsuit and are

in default pursuant to FEDERAL RULE OF CIVIL PROCEDURE 55.

4. The Defendants are currently indebted to Plaintiffs in the amount of \$27,678.00.

See Declarations of Randy Abbe and Declaration of Meredith Mathews, attached hereto as

Exhibit B and A, respectively.

5. Plaintiffs are also entitled to attorney's fees and expenses in the amount of \$41,197.50 as proven by the Declaration in Support of Attorneys Fees, attached hereto as **Exhibit C**.

WHEREFORE, Plaintiffs request that the Court enter a default judgment against the Defendants and in favor of Plaintiffs.

Respectfully submitted,

/s/ Meredith Mathews

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that this document was filed by way of the Court's electronic filing system. This is also to certify that a true and correct copy of the foregoing was delivered by **REGULAR MAIL** on the following:

Defendant

Silverleaf Debt Solutions, LLC
Debt RX USA, LLC
c/o Michael Miles
2520 Ave. K, Ste 700
Plano, Texas 75074

ON THIS 20th DAY OF JULY, 2012.

/s/ Meredith Mathews
MEREDITH MATHEWS